(vii) Drugs and Cosmetics (Amendment) Bill, 2005 has been introduced in the Rajya Sabha in May, 2005 to amend the said Act to provide for stricter penalities to the offenders including a maximum penalty of life imprisonment with a fine of Rs. 100,000/-. It further proposes to make the offence non-bailable, cognizable and to provide for specially designated courts for speedy trial of the cases.

The proposed amendments will make the law deterrent to the offenders involved in the manufacture or sale of spurious drugs. The involvement of enforcing agencies like Police will help in speedy investigation to book the culprits and in controlling anti-social elements in such activities.

Mashelkar Committee on Spurious Drugs

605. SHRI NANDI YELLAIAH: Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) the details of R.A. Mashelkar report on spurious medicines and drugs;

(b) whether Government would set up special courts in every State to ensure speedy prosecution of spurious medicines and drugs manufacturers;

(c) if so, the details thereof;

(d) if not, the reasons therefor and alternative steps proposed to be taken;

(e) whether Government would ensure more drug inspectors especially for collecting samples for testing and in setting up more modern drug testing laboratories, to detect spurious drugs for speedy prosecution and conviction; and

(f) if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRIMATI PANABAKA LAKSHMI): (a) Following are the recommendations of Mashelkar Committee on Spurious drugs.

- Strengthening of the Central Drugs Standards Control Organization (CDSCO) and giving it the status of Central Drugs Administration (CDA).

- Effective interaction between the stakeholders i.e. industry and regulators, industry and consumers, trade and regulators and medical professional and regulators.
- Creation of intelligence cum legal cells in State and Central offices.
- Discouraging proliferation of drug distribution outlets.
- Changes in law to provide enhanced penalties, making the offiences congnisable and non-bailable in the light of similar provisions in Narcotic Drugs and Psychotropic Substances Act.
- Designation of special courts to try the cases of spurious drugs.
- Preparation of dossiers of suspected dealers and manufactures.
- Provision of secret funds and inventives to informers.
- Effective net working system between States.
- Check on drug supplies to practitioners who buy and supply drugs to their patients.
- Industry to have its own strategies to tackle counterfeit drugs, better surveillance and efficient complaint handling system.
- Trade associations to have better surveillance on defaulting members and to take strict action against them.
- Creation of better awareness amongst consumers.
- Centralised licensing of drug manufacturers.
- Effecting certain amendments in the drugs and Cosmetics Act, 1940.

(b) Drugs & Consmetic (Amendment) Bill, 2005 has been introduced in the Rajya Sabha in May 2005 wherein *inter-alia* setting up of special courts has been proposed to ensure speedy trial of the cases of spurious drugs.

(c) According to the proposed bill, after section 36 A of the principal act the following secitons shall be substituted, namely:—

"36AB. (1) The Central Government, or the State Government in consultation with the Chief Justice of the High Court, shall, for trial of offences relating to adulterated drugs or spurious drugs and punishable under clauses (a) and (b) of section 13, sub-section (3) of section 22, clauses (a) and (c) of section 27, section 28, section 28A, section 28B, and clause (b) of sub-section (1) of section 30 and other offences relating to adulterated drugs or spurious drugs, by notificaiton, designate one or more Courts of Session as a Special Court or Special Courts for such area or areas or for such case or class or group of cases as may be specified in the notification.

(d) Does not arise in respect of reply given in Part (c)

(e) and (f): * There is no proposal at present to increase the number of drug inspectors. However, a Capacity Building Project through World Bank assistance has been taken up to provide substantial assistance to State Govts. to upgrade drug testing facilities and to establish new drug testing laboratories. These steps are expected to increase the number of samples tested in the country from about 36,000 samples to 1,00,000 samples per year and to reduce the reporting time to less than a month as against the present period from 3 to 6 months.

Medical care to people

†606. SHRI RAM JETHMALANI:
Dr. MURLI MANOHAR JOSHI:

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that the medical facilities which have been set up till today after gaining independence serves only 20 percentage of the population;

* Specific training programme for regualtory officials of State Govts. on logistics of intelligence work, prosecutions etc. has been conducted with the assistance of FDA, Maharashtra. This is an ongoing activity. Training is also being provided to regulatory personnel, including drug inspectors, of the centre and the States/UTs under the Capacity Building Project to ensure better efficiency in work.

†Original Notice of the question was received in Hindi.